

Application No.: 10/823,320
Docket No.: UC0422USNA

JAN 11 2007**Remarks**Status of the Application

Claims 1-5 and 9-18 are pending. Applicants thank the Examiner for the indication that claims 10 and 11 are allowable, and have taken the opportunity to rewrite Claim 10 in independent form.

Claims 4 and 5 are withdrawn. Claims 6-8 are canceled. Claims 1, 2, 9, and 10 are amended. Claim 1 is amended to include language from claim 7. The amendment to Claim 2 finds support at page 11, line 32 to page 12, line 3 of the specification. Claims 9 is amended to change its dependency from a canceled claim. Claim 10 is rewritten in independent form.

Species Election

Applicants confirm the election of inventions I and IV. Claims 1-3, 9, and 12-18 read on the elected species. Claims 1, 2, 9, and 11-18 are generic. It is Applicants' understanding that upon allowance of a generic claim, additional species which depend from the allowable generic claim(s) will be considered. Thus, Claims 4 and 5 may be examined based on the amendments and comments submitted herein.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-3, 6-9, and 12-18 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 5,185,100 ("the Han patent"). Claim 1 is amended to include the language "wherein said non-polymeric fluorinated organic acid comprises at least one of fluoroamido organic acids, fluoroamidoether organic acids, and fluoroether organic acids" from original Claim 7. Contrary to the position apparently taken by the Examiner in regard to original Claim 7, none of these acid types are taught or suggested by the Han patent. The Han patent teaches a variety of organic and inorganic acids. Where the acids are fluoro organic acids in the Han patent, they are perfluorobenzene sulfonic acid, perfluorobutyric, perfluoropentanoic, perfluorooctanoic acids, perfluoro benzoic acid and other fluoro-containing carboxylic acids found at column 9, lines 56-62, and column 10, lines 1-17, not the fluoroamido organic acids,

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fluoroamidoether organic acids, and fluoroether organic acids of the instant claims. There can be no anticipation because the Han patent does disclose each element of amended claim 1.

Claims 1-3, 6-9, and 15-17 were rejected under 35 U.S.C. § 102(e) as allegedly anticipated by JP 62-119237 ("the '237 application"). As is the case with the Han patent, the '237 application does not disclose or suggest the acids recited in amended claim 1. The fluoro acids taught by the '237 application are certain fluorine-containing alkyl sulphonic acids, not the fluoroamido organic acids, fluoroamidoether organic acids, and fluoroether organic acids recited in the instant claims. As the '237 application does not disclose each element of amended claim 1, there can be no anticipation.

Claim Rejections Under 35 U.S.C. § 103

Claims 15-18 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over the Han patent. As discussed above, the Han patent does not teach or suggest the acids recited in amended claim 1. The acids of the instant claims contain ether and/or amido groups which are not found in the acids of the cited art. Due to the significantly different chemical structure of the acids recited in the instant claims and those disclosed in the Han patent, one skilled in the art would not find the choice of such acids obvious from a review of the Han patent. Thus, in regard to claims 15-18, it would not have been obvious to make a device comprising the composition of claim 1. For at least this reason, the claims are not obvious in view of the Han patent. Withdrawal of this rejection is respectfully requested.

Conclusion

Applicants respectfully submit that the rejections should be withdrawn and that claims 4 and 5 be considered as depending from an allowable generic claim. Applicants further respectfully submit that the pending claims are in condition for allowance, and earnestly solicit a notice of allowance for Claims 1-5 and 9-18. Should the Examiner have questions about the application or the contents of this paper, the Examiner is invited to call the undersigned at the telephone number listed below.

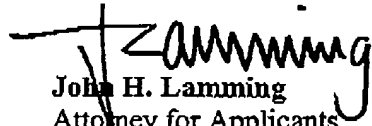
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Respectfully submitted,



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